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SH 2571000

MISCELLANEOUS DOCUMENTS

PM In-service, West Hollywood Station, dated January 21, 2023.

Consolidated Criminal History Report (CCHRS) for Suspect Mackenzie Switzer.

Medical Records/Information for Woodrow Arnold, AKA Suspect Mackenzie Switzer.

Superior Court of California, County of Los Angeles, Minute Order, Case #NA121359, dated May 10, 2023.

Training Records for Sergeant Josue Hidalgo.

Mobile Digital Computer messages sent from WHD desk personnel to WHD field personnel regarding the description of stolen vehicle.

Three (3) Administrative Rights Force/Shooting Forms.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
01/21/2023	North Patrol Division / West Hollywood Station	[ ]	[ ]

Incident Information

URN: 023-00377-0977-057	Date: 01/21/2023 Time: 1708 Hours
City or Station: West Hollywood	Nature of Incident: A vehicle pursuit ensued when deputies attempted to stop a stolen vehicle. The suspect fled and drove his vehicle towards a deputy. Sergeant Hidalgo fired 5 non-hit rounds.
Location: 1200 Alta Loma Road	

Location Type (check one or more):
- [ ] Backyard
- [ ] Beach
- [ ] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [x] Street
- Other:

Lighting (check only one):
- [ ] Darkness
- [x] Daylight
- [ ] Other
- [ ] Street Lights

Weather (circle only one):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: One car length

Incident Type (check one or more):
- [ ] Accidental
- [ ] Armed Person
- [x] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [x] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [x] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (check only one):
- [ ] Arrest Warrant
- [x] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (check only one):
- [ ] Detective
- [ ] Inmate Transport
- [x] Other
- [ ] Routine Patrol

Aero Unit? [x] Canine Unit? [ ]

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
5	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Bowes	Kevin	E	[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Miranda-Amaya	Oscar	A	[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)	
[redacted]	Hidalgo	Josue	NMI	[x] On Duty [x] Present during shooting	[ ] Witness to shooting [x] Involved in shooting
[redacted]	Bowes	Kevin	E	[x] On Duty [x] Present during shooting	[x] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Aragon	Thomas	A

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Aguirre	Jose	N.

PSTD Use Only

SH # ____________

Officer Involved Shooting
Involved Employee Information

URN: 023-00377-0977-057

Involved Employee

E 1

Employee # [redacted] | Last Name: Hidalgo | First Name: Josue | M.I.: NMI

Sex: M | Race: H | Rank: Sergeant | Unit Assignment: West Hollywood | Work Assignment (Unit #, Module, etc.): 90S

ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☑

Hrs of sleep prior to shooting: 6 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest | Other Factors:

Age: 37 | Height: 507 | Weight: 210

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? ☐ | Number of Prior Shootings: [redacted] | Directed Force: ☐

Weapons Fired Brand: Smith & Wesson | Caliber: 9 | # Shots: 5 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E /

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E /

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

Officer Involved Shooting Suspect Information

URN: 023-00377-0977-057

Suspect Information

S 1

Last Name: Switzer	First Name: Mackenzie	M.I. NMI
AKA Last Name: Arnold	First Name: Woodrow	M.I. J
Sex: M Race: W	Street Address: Transient	City: - State & Zip Code: - -
Work Phone: None	Home Phone: None	Social Security #: [redacted]
Driver's License #: [redacted]		
Age: 34 D.O.B. 01/08/1989	Height: 511 Weight: 145	FBI #: [redacted]
CII #: [redacted]		
Booking # 6532119	Primary Charge: 245(c) PC	Secondary Charge: 487(d)(1) PC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☑
Substance Used: Methamphetamine		
Armed? ☐	Apprehended? ☑	Mental Illness? ☐
Criminal History? [redacted]		
Vehicle Make: Toyota Model: Corolla Year: 2020	Parole: No Probation: No	Prior Felony Conviction: Yes

S /

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: 34 D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make Model: Year:	Parole: Probation:	Prior Felony Conviction:

S /

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make Model: Year:	Parole: Probation:	Prior Felony Conviction:

S /

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address:	City: State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make Model: Year:	Parole: Probation:	Prior Felony Conviction:

See Other Side

Officer Involved Shooting

URN: 023-00377-0977-057

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01/21/2023	1945 Hrs	08/28/2023	

Employee #	Last Name	First Name	M.I.
[redacted]	Fender	Joseph	F
[redacted]	Gaudino	John	G
[redacted]	Martinez	Armando	NMI

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	UC					NN	
S1	E1	OV					NN	
E1	S1	FH	SW	9	Y	Y	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty, Non-Hit Shooting**

IAB FILE NUMBER: **SH 2571000**

URN: **023-00377-0977-057**

DATE/TIME: **January 21, 2023 / 1708 hours**

LOCATION: **1200 Alta Loma Road, West Hollywood**

SYNOPSIS

On January 21, 2023, an Internal Affairs Bureau (IAB) Force/Shooting Rollout team comprised of Lieutenant Joseph Fender, Sergeants Armando Martinez and John Gaudino, responded to the command post, located at 8600 Sunset Boulevard, West Hollywood regarding an on-duty, non-hit shooting. On January 21, 2023, at approximately 1708 hours, West Hollywood Station Sergeants Josue Hidalgo, #[redacted] and Kevin Bowes #[redacted] located a stolen vehicle driven by Suspect Mackenzie Switzer. When Suspect Switzer refused to stop, the sergeants, as the primary unit, and Deputy Oscar Miranda-Amaya, #[redacted] as the secondary unit, initiated a vehicle pursuit. The short vehicle pursuit proceeded into a cul-de-sac where Suspect Switzer made a U-turn and drove toward Deputy Miranda-Amaya who was exiting his vehicle, Sergeant Hidalgo, and a civilian. Believing the suspect was going to strike Deputy Miranda-Amaya with his speeding vehicle, Sergeant Hidalgo discharged his firearm, shooting at the suspect with the intent of preventing serious bodily injury or death to Deputy Miranda-Amaya. The suspect was not hit by the gunfire and fled the scene in the stolen vehicle.

Lieutenant Fender confirmed the on-duty watch commander, Lieutenant Jose N. Aguirre, #[redacted] took reasonable steps to ensure department personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by investigators. He also ensured personnel did not collectively consult with their attorney or representative. IAB Lieutenant Fender confirmed the involved personnel gathered in the company of a supervisor until they provided a statement.

Detective Eric Chappell, #[redacted] under the supervision of Detective Sergeant Evelio Galvez, #[redacted] of the Los Angeles County Sheriff's Department, West Hollywood

Station arrived and assumed control of the shooting investigation. Refer to the crime and supplemental reports listed under URN #023-00377-0977-057 **[Exhibit A]**.

SUMMARY

On January 21, 2023, at approximately 1700 hours, a dispatcher from the Beverly Hills Police Department (BHPD) called West Hollywood Station regarding a reported stolen vehicle entering West Hollywood area. The stolen vehicle was being followed by an unmarked BHPD vehicle. BHPD personnel provided the California vehicle license plate number of [redacted] and continued to provide location updates. West Hollywood Station desk personnel provided the stolen vehicle's description via Mobile Digital Computer (MDC) message **[Miscellaneous Documents]** and updated location to field units via radio (L-TAC).

Sergeant Kevin Bowes and Sergeant Josue Hidalgo were assigned to West Hollywood Station as Field Sergeant Unit 90S. Sergeant Bowes was the driver and Sergeant Hidalgo was the passenger. As they drove eastbound Santa Monica Boulevard, approaching La Cienega Boulevard, they observed the stolen vehicle driven by Suspect Switzer turn westbound onto Santa Monica Boulevard from southbound La Cienega Boulevard.

Sergeant Bowes made a U-turn and drove westbound Santa Monica Boulevard in an attempt to get behind Suspect Switzer. They got behind Suspect Switzer after he turned northbound onto Westbourne Drive from Santa Monica Boulevard. Deputy Miranda-Amaya, Unit 93A, joined the sergeants and followed behind Suspect Switzer. Sergeant Hidalgo used his mobile radio and requested a records check of the vehicle's license plate through Sheriff's Communications Center (SCC) to confirm its status as stolen. Suspect Switzer drove eastbound West Knoll Drive when SCC confirmed its stolen status. Suspect Switzer drove northbound on Westmount Drive when Sergeant Hidalgo requested emergency radio clearance and activated the duplex patch for a pre-stop coordination. Suspect Switzer increased his speed and fled. The sergeants, and Deputy Miranda-Amaya, initiated a vehicle pursuit. Suspect Switzer turned eastbound onto Holloway Drive and Sergeant Hidalgo requested an airship.

> **IAB NOTE:** The duplex patch is a term used to describe opening of an LASD radio channel for all units on that radio channel to hear the radio traffic. If the duplex patch is not activated, the other units on the channel will only hear the beeping of the busy signal.

Suspect Switzer turned northbound onto Alta Loma Road with both patrol units pursuing Code 3. Alta Loma Road turned into a cul-de-sac by barricades put in place by the city. As Suspect Switzer arrived in the cul-de-sac at the north end of Alta Loma Road, the Suspect Switzer drove toward the left side of the cul-de-sac and Sergeant Bowes positioned their vehicle on the left side of the street in preparation of a felony traffic stop. Deputy Miranda-Amaya positioned his vehicle behind and to the right side of the

sergeants' vehicle, leaving approximately one car length in between the two patrol vehicles. Deputy Miranda-Amaya also left approximately one car length between his vehicle and the east curb line. Suspect Switzer executed a U-turn and rapidly drove toward the front bumper of Deputy Miranda-Amaya's occupied patrol vehicle. Suspect Switzer briefly stopped within inches of colliding with the patrol vehicle.

Sergeant Hidalgo exited the front passenger door of the patrol vehicle and yelled for Suspect Switzer to stop, while Sergeant Bowes exited the driver side door and proceeded around the back and used their vehicle as cover. As Deputy Miranda-Amaya began to exit his patrol vehicle, Suspect Switzer quickly reversed a few feet, which caused Sergeant Hidalgo to move toward the front fender of his patrol vehicle to avoid being hit by Suspect Switzer. Suspect Switzer quickly drove forward leaving only inches between the two patrol vehicles. Deputy Miranda-Amaya re-entered the front seat of his patrol vehicle in fear of being hit by Suspect Switzer. Sergeant Hidalgo feared Suspect Switzer was going to seriously injure or kill Deputy Miranda-Amaya by hitting him with the vehicle and fired five rounds in rapid succession from his duty firearm at Suspect Switzer. Suspect Switzer continued southbound Alta Loma Road and turned westbound onto Holloway Drive. Sergeant Hidalgo transmitted emergent radio traffic regarding the deputy involved shooting.

Deputy Miranda-Amaya made a U-turn and drove southbound on Alta Loma Road. Deputy Miranda-Amaya turned west onto Holloway Drive, in an attempt to relocate Suspect Switzer; however, the vehicle was gone. Sergeants Bowes and Hidalgo initially re-entered their vehicle and drove southbound on Alta Loma Road to relocate Suspect Switzer. Sergeants Bowes and Hidalgo quickly turned around and stayed at the location of the deputy involved shooting to ensure no uninvolved citizens were struck by the gunfire, and to secure the scene. Sergeant Hidalgo coordinated assisting units to respond to secure the scene and to locate Suspect Switzer.

IAB NOTE: The pursuit traversed approximately 0.33 miles on surface streets, and lasted approximately 40 seconds, with an average speed of 29.7 miles per hour. A vehicle pursuit evaluation form was submitted by West Hollywood Station watch commander. Refer to the Vehicle Pursuit Evaluation form submitted under the **VEHICLE PURSUIT EVALUATION FORM** section of this casebook.

On January 22, 2023, personnel from the Los Angeles Police Department (LAPD) located the suspect vehicle abandoned in a public parking garage at 221 West 2nd Street in Los Angeles. The garage was approximately nine miles from the scene of the deputy involved shooting. West Hollywood Station Investigators responded and observed one (1) bullet hole to the rear passenger side door; two (2) bullet holes to the front passenger door; and one (1) bullet appeared to go through the front passenger side window, dashboard of the vehicle, and lodge into the driver side mirror. The vehicle was recovered and impounded as evidence by Detective Chappell.

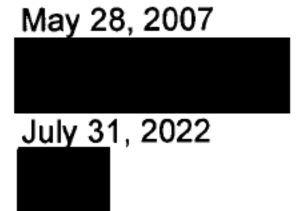
In the following days, Detective Chappell identified the suspect as Mackenzie Switzer. Suspect Switzer was arrested by Long Beach Police Department (LBPD) personnel on January 26, 2023, and booked under the false name of Woodrow James Arnold. LBPD officers observed the suspect driving an unrelated stolen vehicle and attempted to stop him. Suspect Switzer fled in the stolen vehicle and a vehicle pursuit ensued. LBPD personnel detained the suspect without further incident after a traffic collision.

Personnel were equipped with body-worn cameras.

INVOLVED PERSONNEL AND WORK HISTORY

JOSUE HIDALGO Sergeant, #[redacted]
North Patrol Division
West Hollywood Station

Work History



Date of Employment:	May 28, 2007
Date Assigned to CPT:	[redacted]
Completed Patrol Training:	
Date Assigned to WHD:	July 31, 2022
Prior Shooting Incident(s):	[redacted]
Prior Category 3 Force Incidents:	

Equipment Worn on Person

On January 21, 2023, Sergeant Hidalgo was wearing his Class "A" uniform with a bullet resistant vest, body worn camera, and Sam Brown duty belt. The equipment on his duty belt included Oleoresin Capsicum (OC) spray, his Department issued 9mm Smith & Wesson M&P 2.0 duty firearm with a Surefire X300 light attachment, two sets of handcuffs, handheld radio, double magazine holder, and keys.

SUSPECT INFORMATION

Switzer, Mackenzie
Male, White, DOB: January 8, 1989, 5'11", 145 pounds
Transient, [redacted]
CII #[redacted] MAIN #[redacted] FBI #[redacted]

> **IAB NOTE:** Suspect Mackenzie Switzer provided a false name to LBPD officers and was booked as Woodrow James Arnold under Booking #6532119.

A check of the Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Switzer [redacted] Refer to CCHRS **[Miscellaneous Documents]**.

SUSPECT INJURIES

None.

DEPUTY PERSONNEL INJURIES

None.

PHYSICAL EVIDENCE

All physical evidence obtained from the scene was located and collected by FIS Swartz on January 21, 2023. SSB personnel also took 179 photographs, which were submitted to Detective Chappell **[Exhibit C: Photographs: Deputy Involved Shooting Scene]**.

Four (4) shell casings were located on the ground in the street near where the shooting occurred. LASD's Scientific Services Bureau (SSB) responded and processed the scene. Forensic Identification Specialist (FIS) Jordan Swartz, #[redacted] recovered the four shell casings **[Exhibit A: Scientific Services Reports]**.

All physical evidence obtained from the suspect vehicle was located and collected by Senior Criminalist April Whitehead, #[redacted] on January 31, 2023, at All City Tow, 5832 West Adams Boulevard in Culver City. Crime Lab personnel also took 273 photographs and submitted them to West Hollywood Station Detective Eric Chappell **[Exhibit C: Photographs: Tow Yard]**.

INVESTIGATORS' OBSERVATIONS

Approximately four hours transpired from the shooting to IAB Investigators' observations. The incident occurred during daylight hours, and it had become dark by the time IAB Investigators observed the location.

The incident occurred in the middle of the street at the north end of Alta Loma Road, south of Sunset Boulevard. Alta Loma Road is a north-south street with residences on the west side of the street and the Sunset Marquis Hotel on the east side of the street, with respect to where the shooting occurred.

WEAPONS USED BY SERGEANT HIDALGO

IAB Sergeants John Gaudino and Armando Martinez conducted a round count of Sergeant Josue Hidalgo's duty firearm with the assistance of FIS Elizabeth Soto, #[redacted]**[Sergeant Josue Hidalgo Round Count Interview and Transcript]**. Sergeant Hidalgo rendered his firearm safe in the presence of IAB Investigators. His weapon contained one (1) Luger round in the chamber, and twelve (12) Luger 9mm rounds in the seventeen round capacity magazine. Sergeant Hidalgo stated he loads his firearm with seventeen (17) rounds in the magazine and one (1) round in the chamber. Sergeant Hidalgo's weapon and magazine were transported to SSB's

Firearms Section by FIS Soto to be function tested. Sergeant Hidalgo's firearm was tested and was deemed functional **[Exhibit A: Reports: Lab Examination Report]**.

Sergeant Hidalgo used a Smith & Wesson, Model M&P 2.0, Serial Number [redacted] 9mm, with a 17 round magazine capacity, plus one round in the chamber. Sergeant Hidalgo's firearm was not submitted for latent prints, blood evidence, or DNA testing. Four expended 9mm round casings were recovered at the scene.

Date last qualified:
Date last trained with weapon: [redacted]



Refer to weapons qualification records **[Miscellaneous Documents]**.

WEAPONS USED BY THE SUSPECT

2022 Toyota Corolla, White, Sedan
California License Plate: [redacted]

PROPERTY DAMAGE

The suspect vehicle was damaged as a result of the Non-Hit Shooting. Four rounds were recovered from the suspect vehicle **[EXHIBIT A: Scientific Services Reports: Crime Scene Investigation Report (Dated April 4, 2023)]**.

1. Bullet hole in the passenger side rear passenger door: The bullet traveled downward in a rear-to-front and right-to-left direction, perforated the door, and continued into the front passenger seat back. The fired bullet was recovered from the seat back.

2. Bullet hole in the front passenger side door: The bullet traveled in a right-to-left and slight rear-to-front direction and entered the front passenger door. The bullet was recovered from the front passenger side door.

3. Bullet hole in the front passenger side door: The bullet traveled in a right-to-left and slight rear-to-front direction and entered the front passenger door. The bullet was recovered from the front passenger side door.

4. Bullet hole in the front passenger door window: The bullet travelled slightly downward, perpendicular to the plane of the window, in a right-to-left direction, and perforated the window. The bullet continued through the raised area of the dashboard just forward of the steering wheel and entered the driver's side mirror. The bullet was recovered from the driver's side mirror.

CRIMINAL INVESTIGATION CHARGES

Investigator's Name:	West Hollywood Station Detective Eric Chappell
Court:	Long Beach
Charges Filed:	245(c) PC, 459 PC, 487(d)(1) PC, 10851(a) CVC, and 2800.2 CVC
DA Case Number:	NA121359

Detective Chappell submitted a criminal case regarding Suspect Mackenzie Switzer for filing consideration with the District Attorney's Office. On February 27, 2023, the District Attorney's Office filed charges for assault on a peace officer, residential burglary, grand theft, driving a motor vehicle without the owner's consent, and evading a peace officer. At the time of this report, Suspect Mackenzie Switzer remained incarcerated and was found mentally incompetent pursuant Section 1368 of the Penal Code. The criminal proceedings have been suspended. Refer to the Consolidated Criminal History Reporting System (CCHRS) and Superior Court of California, County of Los Angeles, Minute Order in the section of this casebook **[Miscellaneous Documents]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours, with dry weather conditions.

RADIO COMMUNICATIONS

Internal Affairs Bureau investigators reviewed radio communications, consisting of Dispatch 2, and West Hollywood Station's local tactical frequency, L-Tac 3. Internal Affairs Bureau Investigators also reviewed the phone call received from BHPD regarding their unmarked unit following the stolen vehicle. The following are summarized excerpts from the compiled radio traffic **[EXHIBIT B: Radio Traffic]**.

Phone Call – BHPD to West Hollywood Station
[EXHIBIT B: Radio Traffic: 1. Phone_call]

Time	Description
17:01:10	BHPD notified West Hollywood Station desk personnel regarding a "Flock" hit on a stolen vehicle that was entering the West Hollywood Station area with an unmarked BHPD unit following it. The vehicle was described as a white 2022 Toyota Corolla, with a California license plate of [redacted], eastbound on Sunset Boulevard at Hammond Street.
17:02:50	BHPD told West Hollywood Station personnel the BHPD unit was an undercover vehicle following. The location was updated to eastbound Sunset Boulevard at Sherbourne Drive.

17:04:06	BHPD stated there was one male Hispanic in the vehicle and updated the location to eastbound Sunset Boulevard approaching La Cienega Boulevard.
17:05:00	West Hollywood Station Desk confirmed they would send West Hollywood Units. An updated location of southbound La Cienega from Sunset Boulevard was provided.
17:06:13	BHPD updated the location to La Cienega Boulevard approaching Santa Monica Boulevard.
17:06:44	BHPD updated the location to westbound Santa Monica Boulevard from La Cienega Boulevard and stated the BHPD vehicle was a grey Chrysler van.
17:07:25	BHPD stated there was a Sheriff's unit behind the stolen vehicle.

Radio Traffic – L-TAC 1 [EXHIBIT B: Radio Traffic: 2. L-tac]

Time	Description
17:02:53	West Hollywood Desk advised West Hollywood Units near Sunset Boulevard and Hammond Street that a stolen vehicle was eastbound Sunset Boulevard. Unit 93A advised he was at Santa Monica Boulevard and La Peer Drive.
17:05:30	West Hollywood Desk updated the stolen vehicle was southbound on La Cienega Boulevard from Sunset Boulevard and was being followed by a BHPD undercover vehicle.
17:06:19	West Hollywood Station desk personnel advised the stolen vehicle was just north of Santa Monica Boulevard.
17:06:55	West Hollywood Station desk personnel advised the stolen vehicle was now westbound on Santa Monica Boulevard. Sergeant Hidalgo (90S) advised he observed the vehicle and was conducting a U-turn from La Cienega Boulevard and would be heading toward the station.
17:07:21	West Hollywood Station desk personnel advised the stolen vehicle was being followed by a grey Chrysler undercover vehicle.
17:07:57	West Hollywood Station desk personnel advised field personnel to get on the patch if they could see the vehicle.
17:11:19	West Hollywood Station desk personnel advised the units at Universal Citywalk to come to West Hollywood Station with lights and sirens.

Radio Traffic – Dispatch 2. [EXHIBIT B: Radio Traffic: 3. Dispatch_2]

Time	Description
17:08:10	Sergeant Hidalgo (90S) requested routine clearance to check the status of California License Plate [redacted].
17:08:35	SCC advised the suspect vehicle, a 2020 Toyota Corolla 4-door white in color, was confirmed as stolen. Sergeant Hidalgo requested the duplex patch and advised they were Code-9 (Pre-stop Coordination). Sirens are heard in the background on Holloway Drive and Sergeant Hidalgo stated they were in pursuit northbound on Alta Loma Road from Holloway Drive. Assisting units were heard giving their estimated times of arrival. Sergeant Hidalgo attempted to broadcast radio traffic "Hey units..." but his radio traffic was interrupted by assisting units.
17:09:31	SCC asked for an updated location. An assisting unit began to give a location but was interrupted. SCC again asked 90S for status.
17:09:50	SCC asked for any units with an observation on 90S. Several units attempted to broadcast via radio. Sergeant Hidalgo (90S) broadcasted all units were accounted for, he was not hit, however he fired into the suspect vehicle, and the suspect vehicle fled the location. SCC attempted to confirm the deputy involved shooting and the last known direction of the suspect vehicle. Sergeant Hidalgo confirmed a deputy involved shooting occurred, gave the location, and requested assisting units to set up a containment.
17:12:28	Sergeant Hidalgo advised the deputy involved shooting occurred in front of the Sunset Marquis Hotel.

BODY-WORN CAMERA VIDEO / SURVEILLANCE FOOTAGE

The involved West Hollywood Station employees were equipped with BWC. There were 29 BWC videos obtained and uploaded into Evidence.com. Video footage was reviewed and IAB Investigators determined Deputy Miranda-Amaya's BWC footage was the only video pertinent to this investigation. The BWC video footage is catalogued under **[EXHIBIT A: Body Worn Camera]**.

BODY-WORN CAMERA

Deputy Miranda-Amaya [Exhibit A: BWC: 1.]

Time	Description

17:08:25	Deputy Miranda-Amaya activated his BWC driving eastbound on West Knoll Drive. Unit 90S requests a check of the stolen vehicle's license plate record.
17:08:40	Unit 90S activated overhead lights turning northbound onto Westmount Drive.
17:08:48	Sergeant Hidalgo was heard attempting to conduct a pre-stop coordination with the audible siren in the background. Sergeant Hidalgo immediately notified assisting units via his radio he was now in pursuit of the suspect vehicle.
17:09:21	Deputy Miranda-Amaya stopped just north of 1200 Alta Loma Road pedestrian entrance, opened the door of his patrol vehicle, and attempted to step out.
17:09:24	Sergeant Hidalgo heard yelling at the driver of the suspect vehicle. Deputy Miranda-Amaya quickly sat back down in the driver seat of his patrol vehicle and closed the door.
17:09:25	Gunshots heard.
17:09:28	Deputy Miranda-Amaya drove northbound on Alta Loma Road, completed a U-turn and drove southbound on Alta Loma Road.
17:09:56	Sergeant Hidalgo advised he was involved in a deputy involved shooting.

IAB NOTE: Sergeants Bowes and Hidalgo did not activate their Body Worn Cameras (BWC) until after the shooting occurred as a result of their cameras not being powered on. No part of the incident was recorded on either of their respective BWC **[Exhibit A: Body Worn Camera: Body Worn Camera Audit Trails]**.

SURVEILLANCE FOOTAGE

West Hollywood Station Investigators obtained and reviewed video surveillance footage of the incident. IAB Investigators reviewed the surveillance video footage. There were five surveillance videos located by station investigators. None of the surveillance videos recorded audio. Surveillance videos which captured the shooting are catalogued as Videos #1-5. The video footage was submitted with this case under **[EXHIBIT A: Surveillance Videos]**.

Video #1 is surveillance video from the Sunset Marquis Hotel located at 1200 Alta Loma Road. The camera faces northwest and is located just south of the front entrance of the

hotel. Videos #2, #3, and #4 are surveillance videos from [redacted] The cameras face east. Video #5 is surveillance video from the south facing camera of [redacted]

Surveillance Video – 1200 Alta Loma Road

Video #1 is surveillance video from the Sunset Marquis Hotel which is located at 1200 Alta Loma Road. The camera faces northwest and is located just south of the front entrance of the hotel **[EXHIBIT A: Surveillance Videos: 1]**.

Time	Description
17:09:11	The suspect's vehicle drove northbound past location and made left hand U-turn in the north end of the cul-de-sac.
17:09:16	Sergeants Bowes and Hidalgo (90S) drove northbound on Alta Loma Road with overhead lights activated. Sergeant Hidalgo exited the patrol vehicle. The suspect completed U-turn and drove around the front passenger side of 90S vehicle.
17:09:18	Deputy Miranda-Amaya (Unit 93A/P) drove northbound Alta Loma Road past the location with overhead lights activated and stopped to the southeast of Unit 90S's vehicle facing northbound.
17:09:21	The suspect drove his vehicle within a few feet of colliding with the front of Deputy Miranda-Amaya's patrol vehicle. The suspect stopped his vehicle, reversed, and drove south on Alta Loma Road in between Unit 90S patrol vehicle and Unit 93A/P patrol vehicle. Sergeant Bowes walked to the rear of Unit 90S's patrol vehicle.
17:09:33	Deputy Miranda-Amaya made a U-turn and drove south on Alta Loma Road. Sergeant Hidalgo was outside the passenger side of the Unit 90S patrol vehicle attempting to re-holster his firearm.
17:10:15	Sergeant Bowes and Hidalgo drove southbound from the location on Alta Loma Road.
17:11:48	Sergeant Hidalgo walked northbound on Alta Loma Road and secured the scene. Sergeant Bowes returned with the patrol vehicle seconds later.

Surveillance Video – [redacted]

Videos #2, #3, and #4 are surveillance videos from [redacted] Video #4 is the southernmost camera at the location, video #3 is the northernmost camera at the location, and video #2 is in the mid property. All cameras face east. **The timestamp**

displayed on the surveillance video is approximately one hour behind the actual time [EXHIBIT A: Surveillance Videos: 2 - 4].

Video	Time	Description
2,3,4	16:09:58	The suspect vehicle drove northbound past the location.
	16:10:03	Unit 90S (Sergeants Bowes and Hidalgo) drove northbound on Alta Loma Road with their overhead lights activated. The patrol vehicle stopped short of the cul-de-sac.
	16:10:05	Unit 93A/P (Deputy Miranda-Amaya) drove northbound on Alta Loma Road with his overhead lights activated and stopped his patrol vehicle in the middle of the road, southeast of Unit 90S' patrol vehicle, facing north.
2,3	16:10:08	The suspect drove in front of the passenger side of the sergeants' vehicle and stopped just short of colliding with Deputy Miranda-Amaya's patrol vehicle.
	16:10:09	The suspect quickly reversed, and then drove south between the two patrol vehicles coming within a few feet of Deputy Miranda-Amaya while he began to exit his patrol vehicle. Sergeant Bowes walked around the rear of his patrol vehicle from the driver's side.
	16:10:17	Deputy Miranda-Amaya made a U-turn and drove south on Alta Loma Road. Sergeant Hidalgo was outside the passenger side of the Unit 90S patrol vehicle attempting to re-holster his firearm.
2,3,4	16:10:44	Sergeants Bowes and Hidalgo re-entered their patrol vehicle, made a U-turn, and checked on civilians in the immediate area.
	16:11:03	Sergeant Bowes and Hidalgo drove southbound from the location on Alta Loma Road.
	16:12:20	Sergeant Hidalgo walked northbound on Alta Loma Road and secured the scene. Sergeant Bowes returned with the patrol vehicle seconds later.

Surveillance Video –[redacted]

Video #5 is surveillance video from [redacted] The camera faces southwest and was located just north of the location of the shooting.

[EXHIBIT A: Surveillance Videos: 5.]

Time	Description
17:09:09	The suspect vehicle drove northbound Alta Loma Road toward the cul-de-sac. Patrol vehicles followed behind the suspect vehicle with their overhead lights activated.
17:09:13	The suspect vehicle drove north to the end of the cul-de-sac, turned left, and performed a U-turn.
17:09:17	Sergeants Bowes and Hidalgo parked their vehicle to the left as they came to the end of a cul-de-sac. The front passenger side door of the patrol vehicle opened as it came to a stop. Deputy Miranda-Amaya pulled to the right and stopped his vehicle southeast of the sergeants' vehicle.
17:09:19	The suspect vehicle completed a U-turn at the cul-de-sac, facing southbound. It drove around the front passenger side of the sergeants' vehicle and came close to colliding with the front Deputy Miranda-Amaya's vehicle.
17:09:23	The suspect vehicle reversed, and Sergeant Hidalgo exited the front passenger door of his vehicle. The suspect drove forward toward the driver door of Deputy Miranda-Amaya's patrol vehicle as he attempted to exit.
17:09:25	A muzzle flash from Sergeant Hidalgo's firearm can be seen as the suspect vehicle drove towards Deputy Miranda-Amaya. The suspect vehicle drove southbound in between the two patrol vehicles and continued southbound.
17:09:29	Deputy Miranda-Amaya drove northbound to the end of the cul-de-sac, made a U-turn, and drove southbound.

INTERVIEWS

Internal Affairs Bureau Investigators interviewed the below personnel and witnesses. The following is a summary of their interviews. For more information and precise wording, see attached verbatim interview transcripts.

INVOLVED EMPLOYEE STATEMENTS

SERGEANT JOSUE HIDALGO

On February 2, 2023, IAB Sergeants John Gaudino and Armando Martinez conducted a round count and interviewed Sergeant Josue Hidalgo at West Hollywood Station in the Detective Bureau interview room. Sergeant Hidalgo was represented by Attorney Tom Yu from The Law Offices of Pelayes and Yu.

On January 21, 2023, Sergeant Hidalgo worked a two-person supervisor Unit 90S with Sergeant Kevin Bowes, on PM Shift. The sergeants were assigned to West Hollywood Station and Sergeant Bowes was the driver.

At approximately 1700 hours, Sergeants Bowes and Hidalgo were in the area of Robertson Avenue and Santa Monica Boulevard when the West Hollywood Station desk personnel notified patrol units on the radio, a stolen vehicle entered the city of West Hollywood. An unmarked BHPD vehicle followed the stolen vehicle. Sergeant Bowes drove eastbound Santa Monica Boulevard toward the last known location.

Sergeants Hidalgo and Bowes were stopped at Santa Monica Boulevard and La Cienega when Sergeant Hidalgo saw the stolen vehicle driven by Suspect Switzer southbound on La Cienega Boulevard approaching the intersection. Suspect Switzer turned right, westbound on Santa Monica Boulevard. Sergeant Bowes made a U-turn, from eastbound Santa Monica Boulevard, and attempted to catch up to Suspect Switzer.

After losing sight of Suspect Switzer, Sergeant Hidalgo reacquired the stolen vehicle, as it turned northbound onto Westmount Drive. Suspect Switzer went around the turnabout at the intersection of Westmount Drive and continued northbound on Westmount Drive.

IAB NOTE: Suspect Switzer drove northbound on Westbourne Drive, which is parallel to and one street west of Westmount Avenue. Suspect Switzer turned right onto eastbound West Knoll Avenue, continued through the roundabout intersection of West Knoll Avenue and Westmount Avenue, and proceeded northbound Westmount Avenue.

As Suspect Switzer was mid-block Westmount Drive, between West Knoll Avenue and Holloway Drive, Sergeant Hidalgo confirmed with SCC the vehicle's status as stolen. Sergeant Hidalgo activated the emergency radio frequency and began to initiate a pre-stop coordination **[Sergeant Hidalgo Transcript, Pages 15-16]**.

As Sergeant Hidalgo activated the emergency radio frequency, Suspect Switzer accelerated and turned eastbound on Holloway Drive. Sergeant Hidalgo advised he was in vehicle pursuit **[Sergeant Hidalgo Transcript, Page 16]**. Suspect Switzer made a left turn, northbound onto Alta Loma Road. Sergeant Hidalgo told Sergeant Bowes Alta Loma Road was a "dead-end" street. Suspect Switzer drove at a high rate of speed northbound Alta Loma Road and Sergeant Hidalgo saw bystanders had to run

out of the way of Suspect Switzer in order to avoid getting hit **[Sergeant Hidalgo Transcript, Pages 17-19]**.

As Suspect Switzer slowed and pulled toward the left of the street at the north end of the Alta Loma Road cul-de-sac. Sergeant Bowes pulled their patrol vehicle toward the left and stopped. Sergeant Hidalgo exited the patrol vehicle believing they were going to conduct a felony traffic stop and detain Suspect Switzer at gunpoint. As Sergeant Hidalgo exited, he noticed Suspect Switzer did not stop, but completed a U-turn. Sergeant Hidalgo saw bystanders to the south of him and noticed a second patrol vehicle arrived toward the east of his position **[Sergeant Hidalgo Transcript, Pages 20-21]**.

Suspect Switzer drove southbound around the front of the sergeants' patrol vehicle and toward the second patrol vehicle. Suspect Switzer stopped his vehicle just short of colliding with the front of the second patrol vehicle. Suspect Switzer reversed and positioned his vehicle toward Sergeant Hidalgo. Sergeant Hidalgo yelled for Suspect Switzer to stop and to turn off his vehicle. Sergeant Hidalgo noticed Suspect Switzer shrugged his shoulders and revved the vehicle's engine. Sergeant Hidalgo repositioned in front of his patrol vehicle's passenger door to move out of the path of Suspect Switzer **[Sergeant Hidalgo Transcript, Pages 27-28]**.

Sergeant Hidalgo noticed Deputy Miranda-Amaya began to exit the second patrol vehicle when Suspect Switzer began to accelerate toward Deputy Miranda-Amaya. Sergeant Hidalgo feared Suspect Switzer was going to cause grave injury to or kill Deputy Miranda-Amaya if Suspect Switzer struck him with the vehicle **[Sergeant Hidalgo Transcript, Page 37]**. Sergeant Hidalgo believed he needed to fire his firearm at Suspect Switzer to eliminate the threat of Suspect Switzer driving toward Deputy Miranda-Amaya **[Sergeant Hidalgo Transcript, Page 36]**.

Sergeant Hidalgo fired his firearm five times, each time at approximately a half-car length distance. Each time he fired, he aimed at Suspect Switzer's chest; there were no backdrop or crossfire concerns. Sergeant Hidalgo said his backdrop included trees, bushes, a green fence line, and a wall. Sergeant Hidalgo reassessed after each shot whether he needed to continue to shoot **[Sergeant Hidalgo Transcript, Pages 38-43]**.

Sergeant Hidalgo stated he was aware of the Department's policy in regards to shooting at moving vehicles. Sergeant Hidalgo stated he felt there was an immediate threat of serious bodily injury.

Sergeant Hidalgo noticed Suspect Switzer drove southbound Alta Loma Road but did not see the direction of travel on Holloway Drive. Sergeant Hidalgo broadcasted on his portable radio he had been involved in a shooting and asked for an assisting unit to set up a containment. Sergeant Hidalgo requested units check the vicinity for Suspect Switzer and the stolen vehicle.

Sergeant Hidalgo wore a BWC during this incident and attempted to activate his BWC when he first saw the stolen vehicle near Santa Monica Boulevard and Westmount Drive. After the shooting occurred and Sergeant Hidalgo felt the incident became stagnant, he attempted to stop recording, but realized his BWC was not recording. Sergeant Hidalgo turned off his BWC early in his PM shift to use the restroom but remembered activating his BWC prior to the pursuit and shooting.

IAB NOTE: The January 21, 2023, BWC Device Audit Trail for Sergeant Hidalgo reflected the device was powered off at 01:34:36 PM. The Device Audit Trail showed Sergeant Hidalgo's BWC was not powered back on again until 05:08:41 PM and the first subsequent recording was at 05:27:30 PM.

Sergeant Hidalgo normally powered off his BWC when he used the restroom to prevent video being recorded inside the restroom while in standby mode. Sergeant Hidalgo stated he did not remember powering on his BWC after he finished using the restroom.

WITNESS STATEMENTS

SERGEANT KEVIN BOWES

On February 2, 2023, IAB Sergeants John Gaudino and Armando Martinez interviewed Sergeant Kevin Bowes at West Hollywood Station in the Detective Bureau interview room. Sergeant Bowes was represented by Attorney Tom Yu from The Law Offices of Pelayes and Yu.

On January 21, 2023, Sergeant Bowes worked a two-person supervisor Unit 90S with Sergeant Josue Hidalgo, on PM Shift. Sergeant Bowes was driving. Sergeant Bowes was a [redacted] by Sergeant Hidalgo.

At approximately 1700 hours, while in the area of Robertson Avenue and Santa Monica Boulevard, the West Hollywood Station desk broadcasted information regarding a stolen vehicle on the station's tactical radio channel. A stolen white Toyota Sedan was eastbound Sunset Boulevard and being followed by an undercover BHPD unit. Sergeants Bowes and Hidalgo discussed their roles as supervisors regarding felony traffic stops and tactical incidents while driving eastbound on Santa Monica Boulevard.

Sergeant Bowes heard an update on the radio stating the stolen vehicle was southbound La Cienega Boulevard from Sunset Boulevard. As Sergeant Bowes approached La Cienega Boulevard, he saw Suspect Switzer southbound La Cienega approaching Santa Monica Boulevard being followed by a van **[Sergeant Bowes Transcript, Page 8]**.

Sergeant Bowes noticed Suspect Switzer made a right turn onto westbound Santa Monica Boulevard. Sergeant Bowes waited for the traffic signal to turn green, made a

U-turn from eastbound Santa Monica Boulevard to westbound Santa Monica Boulevard, and attempted to relocate Suspect Switzer. Sergeant Bowes located Suspect Switzer, drove behind and turned right onto northbound Westbourne Drive. While northbound on Westbourne Drive, Sergeant Hidalgo checked the vehicle's license plate status on his mobile radio to confirm the vehicle was reported stolen. Suspect Switzer continued northbound Westbourne Drive, and then eastbound West Knoll Drive. As Suspect Switzer drove eastbound West Knoll Drive, Sergeant Bowes heard SCC confirm the vehicle as stolen **[Sergeant Bowes Transcript, Pages 10-11]**.

Suspect Switzer continued eastbound West Knoll Drive and approached a roundabout at the intersection of West Knoll Drive and Westmount Drive. Suspect Switzer entered the roundabout and exited the roundabout northbound onto Westmount Drive. Once on Westmount Drive, Sergeant Hidalgo began to broadcast a pre-stop coordination (Code 9). Suspect Switzer immediately accelerated toward Holloway Drive and Sergeant Bowes initiated a vehicle pursuit, activated his lights and siren. Suspect Switzer slowed at the intersection of Westmount Drive and Holloway Drive, then proceeded to turn onto eastbound Holloway Drive **[Sergeant Bowes Transcript, Pages 11-14]**.

Suspect Switzer turned northbound onto Alta Loma Road from Holloway Drive. Sergeant Bowes continued to pursue Suspect Switzer on Alta Loma Road with the intent of conducting a felony traffic stop at the end of the street. Sergeant Bowes estimated Suspect Switzer's speed to be 45-50 miles per hour as he accelerated on Alta Loma Road. Sergeant Bowes considered terminating the pursuit as it headed toward Sunset Boulevard; however, Sergeant Hidalgo told Sergeant Bowes that Alta Loma Road was a cul-de-sac **[Sergeant Bowes Transcript, Page 14]**.

While at the end of the cul-de-sac, Suspect Switzer slowed and made a U-turn. Sergeant Bowes turned his patrol vehicle toward the westside of Alta Loma Road to conduct a felony traffic stop. As Sergeant Bowes opened his door, he realized Suspect Switzer did not stop and maneuvered past the passenger side of the patrol vehicle. Sergeant Bowes heard Sergeant Hidalgo exit the passenger side of the patrol vehicle. Sergeant Hidalgo stood outside the vehicle with his firearm drawn, and yelled commands for Suspect Switzer to stop the vehicle **[Sergeant Bowes Transcript, Page 16]**. Suspect Switzer drove alongside the passenger side of their patrol vehicle and temporarily stopped in line with Sergeant Hidalgo. When Sergeant Bowes noticed Suspect Switzer temporarily stopped, he moved toward the rear of their patrol vehicle to detain Suspect Switzer while using the vehicle as cover.

As Sergeant Bowes reached the rear driver's side window of their patrol vehicle, he heard the sound of an engine revving and then gunfire. Sergeant Bowes heard numerous gunshots but could not tell how many shots were fired or who fired. As Sergeant Bowes made his way around the rear of the patrol vehicle, he saw Suspect Switzer's front passenger window was shattered and had a hole in it as it drove off southbound Alta Loma Road. It was at that point Sergeant Bowes saw another black and white patrol vehicle with them. The other patrol vehicle turned around and attempted to re-acquire Suspect Switzer's vehicle.

There were uninvolved pedestrians on the east sidewalk, approximately forty feet south of where the shooting occurred. Sergeants Bowes and Hidalgo stayed at the scene to ensure the bystanders' well-being as well as to secure the scene. Sergeant Hidalgo advised responding units a deputy involved shooting occurred and attempted to coordinate units over the radio in an effort to locate the fleeing suspect.

Sergeant Bowes was equipped with his BWC at the time of this incident. Sergeant Bowes powered his BWC off either during AM or PM Shift when he used the restroom and forgot to turn it back on when he was done. Sergeant Bowes attempted to activate his BWC when he located the suspect vehicle on Santa Monica Boulevard by double tapping the center button. Immediately following the incident Sergeant Bowes realized his BWC was off and powered it on to start recording **[Sergeant Bowes Transcript, Pages 27-29]**.

IAB NOTE: The January 21, 2023, BWC Device Audit Trail for Sergeant Bowes' BWC reflected the device was powered off at 01:34:46 PM. The Device Audit Trail showed Sergeant Bowes' BWC was not powered on again until 05:09:57 PM and the first recording was made at 05:10:24 PM.

DEPUTY OSCAR MIRANDA-AMAYA

On February 2, 2023, IAB Sergeants John Gaudino and Armando Martinez interviewed Deputy Oscar Miranda-Amaya at West Hollywood Station in the Detective Bureau interview room. Deputy Miranda-Amaya was represented by Attorney Tom Yu from The Law Offices of Pelayes and Yu.

On January 21, 2023, Deputy Miranda-Amaya worked Unit 93A, assigned to West Hollywood Station. At approximately 1700 hours, radio traffic was broadcast on the station's tactical radio channel (L-TAC) that a stolen vehicle was eastbound on Sunset Boulevard. Deputy Miranda-Amaya drove eastbound Sunset Boulevard from Doheny Drive to locate the vehicle. Deputy Miranda-Amaya drove south on La Cienega Boulevard and heard a radio update that the suspect vehicle was westbound Santa Monica Boulevard from La Cienega Boulevard. Deputy Miranda-Amaya turned right onto westbound Santa Monica Boulevard to locate the suspect vehicle and saw a black and white Sheriff's Department sergeant vehicle northbound on Hancock Avenue. Deputy Miranda-Amaya heard Unit 90S check the vehicle license plate on the radio.

Suspect Switzer turned eastbound onto West Knoll Drive with the sergeant's vehicle following behind. Suspect Switzer continued eastbound to the roundabout and turned northbound onto Westmount Drive. Once the sergeant vehicle was northbound Westmount Drive, and the vehicle was confirmed as stolen, Deputy Miranda-Amaya heard the field sergeant begin to initiate a pre-stop coordination. Deputy Miranda-Amaya noticed Suspect Switzer sped up and subsequently heard the field sergeant broadcast they were in pursuit. Deputy Miranda-Amaya saw the sergeant's vehicle

turned on the overhead lights. Deputy Miranda-Amaya activated the overhead lights of his patrol vehicle.

Suspect Switzer turned eastbound Holloway Drive and then northbound Alta Loma Road. Once Suspect Switzer reached the north end of Alta Loma Road, he made an abrupt U-turn. After making the U-turn, Suspect Switzer faced head-on toward the patrol vehicles. There was enough space for a vehicle to pass by Deputy Miranda-Amaya's patrol vehicle on both sides. The sergeants positioned their patrol vehicle along the west side of Alta Loma Road facing northbound and Deputy Miranda-Amaya positioned his patrol vehicle along the east side of Alta Loma Road facing northbound slightly offset behind the sergeants' patrol vehicle to prepare for a felony traffic stop.

As Deputy Miranda-Amaya stopped, Suspect Switzer drove southbound toward Deputy Miranda-Amaya's patrol vehicle. Suspect Switzer almost collided head-on into the front of Deputy Miranda-Amaya's patrol vehicle and stopped less than 12 inches from his front bumper **[Deputy Miranda-Amaya Transcript, Page 16]**. Deputy Miranda-Amaya began to exit his patrol vehicle to detain Suspect Switzer at gunpoint. Suspect Switzer shrugged his shoulders and quickly reversed, creating enough space to maneuver around the front of Deputy Miranda-Amaya's patrol vehicle. Suspect Switzer drove between the two patrol vehicles and toward Deputy Miranda-Amaya at a high rate of speed. Deputy Miranda-Amaya quickly entered his patrol vehicle in order to avoid being struck by Suspect Switzer's vehicle. As he got back into his vehicle, Deputy Miranda-Amaya heard four gunshots and saw Suspect Switzer's vehicle pass between the patrol vehicles. After Suspect Switzer passed, Deputy Miranda-Amaya saw Sergeant Hidalgo standing outside of his patrol vehicle with his firearm out **[Deputy Miranda-Amaya Transcript, Page 19]**.

Sergeant Hidalgo was standing approximately two car lengths northwest of Deputy Miranda-Amaya. At the time Deputy Miranda-Amaya heard the gunshots, Suspect Switzer was east of Sergeant Hidalgo and in front of Deputy Miranda-Amaya's patrol vehicle. Deputy Miranda-Amaya believed he was out of the line of fire and Sergeant Hidalgo faced east when he discharged his firearm. There were civilians on the sidewalk south of Deputy-Amaya, but they were out of the line of fire.

Deputy Miranda-Amaya drove into a cul-de-sac, completed a U-turn, and drove southbound Alta Loma Road. Deputy Miranda-Amaya noticed Suspect Switzer turned westbound onto Holloway Drive. Deputy Miranda-Amaya also turned westbound Holloway Drive, but he was unable to relocate Suspect Switzer's vehicle.

WITNESS [redacted]

On January 21, 2023, IAB Sergeants John Gaudino and Armando Martinez interviewed [redacted] (Witness [redacted]) at the Sunset Marquis Hotel in Room [redacted] On the date of the incident Witness [redacted] at the Sunset Marquis Hotel. At the time of the incident, he was [redacted] (Witness [redacted]) vehicle.

Witness [redacted] Witness [redacted] vehicle from the Sunset Marquis Hotel parking garage and parked it in the southbound lane of traffic on Alta Loma Road, in front of the hotel. Witness [redacted] escorted Witness [redacted] [redacted] ([redacted]) to the vehicle, and [redacted] sat in the front passenger seat. Witness [redacted] stood on the sidewalk.

At approximately 5:09 PM, Witness [redacted] saw a white Toyota Corolla (suspect vehicle) drive northbound on Alta Loma Road, while being pursued by two Los Angeles County Sheriff's Department patrol vehicles with their lights and sirens activated. The suspect vehicle, along with the two patrol vehicles drove northbound past the Sunset Marquis Hotel toward the cul-de-sac north of the hotel. The patrol vehicles were approximately two car lengths behind the suspect's vehicle.

Witness [redacted] ran across the street and removed [redacted] from Witness [redacted] vehicle, to prevent him from getting injured during the incident. Witness [redacted] escorted [redacted] into the driveway of the residence across the street.

Witness [redacted] noticed the suspect's vehicle drive northbound into the cul-de-sac to turn around while the patrol vehicles stopped short of the cul-de-sac. The patrol vehicles stopped with one vehicle slightly further north than the other patrol vehicle, and the patrol vehicles were offset. The patrol vehicles were positioned side-to-side with enough room between them for the suspect vehicle to pass. The front of the patrol vehicles slightly pointed inward toward each other.

The suspect vehicle maneuvered between the two patrol vehicles, coming very close, but did not collide with them. As the suspect vehicle drove between the two patrol vehicles, Witness [redacted] heard three to four gunshots. Witness [redacted] assumed the gunshots came from the suspect's vehicle because Witness [redacted] stood approximately ten feet behind the patrol vehicles and did not see any of the Sheriff's Department personnel exit their vehicles. Witness [redacted] saw the front passenger window of the suspect vehicle was shattered as the vehicle drove past him, southbound Alta Loma Road.

The suspect vehicle continued southbound Alta Loma Road and turned onto westbound Holloway Drive. Witness [redacted] was unsure if Sherrif's Department personnel continued pursuing the suspect. Immediately after the suspect vehicle drove westbound Holloway Drive, department personnel checked on the health and well-being of people present during the incident.

WITNESS [redacted]

On January 21, 2023, IAB Sergeants John Gaudino and Armando Martinez interviewed [redacted] (Witness [redacted]) at the Sunset Marquis Hotel in Room [redacted]

Just prior to the incident, Witness [redacted] was waiting in front of the Sunset Marquis Hotel for her vehicle. Witness [redacted] her vehicle and parked it in the

southbound lane of Alta Loma Road. Witness [redacted] escorted Witness [redacted] to the vehicle [redacted]. While Witness [redacted] stood in front of the Sunset Marquis Hotel, she saw a white Toyota (suspect vehicle) driving at a high rate of speed and being pursued by two Sheriff's Department patrol vehicles. Witness [redacted] estimated the patrol vehicles were approximately five feet behind the suspect vehicle.

Witness [redacted] said the suspect vehicle continued northbound on Alta Loma toward the cul-de-sac with two patrol vehicles behind it. The suspect vehicle reached the end of the cul-de-sac and made a U-turn. The patrol vehicles stopped on Alta Loma Road, facing in a northeastern direction with room for a vehicle to pass in between. Witness [redacted] noticed Sergeant Hidalgo exited his patrol vehicle and stayed close to the passenger side.

The suspect vehicle drove in between the two patrol vehicles; however, Witness [redacted] was not sure what the distance was between the vehicles. Witness [redacted] heard Sergeant Hidalgo yell commands at the driver of the suspect vehicle but could not recall what he said. Witness [redacted] saw Sergeant Hidalgo draw his firearm and fired four times at the suspect vehicle. Witness [redacted] saw and heard the shooting from less than twelve feet away **[Witness [redacted] (IAB Interview) Transcript, Page 4]**.

The suspect vehicle continued southbound on Alta Loma Road and turned west onto Holloway Drive. Witness [redacted] said one of the patrol vehicles attempted to follow the suspect vehicle while the other patrol vehicle stayed at the location. Sheriff's Department personnel immediately checked on the welfare of everyone in the area.

SUSPECT STATEMENTS

SUSPECT MACKENZIE SWITZER

On January 31, 2023, West Hollywood Station Detectives Eric Chappelle, and Yesenia Olvera, #[redacted] interviewed Suspect Mackenzie Switzer at the Inmate Reception Center in an interview room. Internal Affairs Bureau Sergeants John Gaudino and Sara Rodriguez were present during the interview.

Suspect Switzer was transient, and used five or ten dollars of methamphetamine every other day. On the day of this incident Suspect Switzer stated, "I think I was on a little bit of meth" **[Suspect Switzer Transcript, Page 22]**. Suspect Switzer said he stole the car keys from a chair inside a woman's apartment and used the keys to steal her vehicle. Suspect Switzer drove the stolen vehicle and the police tried to pull him over by using their lights. Suspect Switzer said he heard one of the police officers told him to get out of the stolen vehicle when he drove in a cul-de-sac **[Suspect Switzer Transcript, Page 18]**.

Suspect Switzer said he was possibly twenty feet away from the officers when he drove his vehicle in between their vehicles to get away. Suspect Switzer stated his driving

was sporadic and possibly reckless. As Suspect Switzer drove by the officers, he heard two pops and his passenger side window shattered. Suspect Switzer thought the pops could have been gunshots but was unsure. Suspect Switzer did not see anyone shoot at him or at anyone else **[Suspect Switzer Transcript, Pages 21-24]**.

Suspect Switzer drove away from the location and was not pursued by any police vehicles. Suspect Switzer parked the stolen vehicle in a public parking garage in Los Angeles and left personal property in the stolen vehicle, which included a cell phone. Suspect Switzer never attempted to run over any police officers, and stated if a police officer had gotten in front of his vehicle, he would have stopped. Suspect Switzer only tried to get away, and he would not run anyone over to get away **[Suspect Switzer Transcript, Page 27]**. Suspect Switzer was not injured because of this incident but was treated for his injured nose as a result of the LBPD chase.

ADDITIONAL INTERVIEWED PERSONNEL

West Hollywood Station detectives interviewed [redacted], but they had no percipient information for this investigative summary. For further details, refer to their recorded interviews submitted with this casebook **[Exhibit A: Body Worn Camera]**.